

1 EDMUND G. BROWN JR., Attorney General
of the State of California
2 ALFREDO TERRAZAS
Senior Assistant Attorney General
3 ARTHUR D. TAGGART, State Bar No. 83047
Supervising Deputy Attorney General
4 California Department of Justice
1300 I Street, Suite 125
5 P.O. Box 944255
Sacramento, CA 94244-2550
6 Telephone: (916) 324-5339
Facsimile: (916) 327-8643

7 Attorneys for Complainant

8
9 **BEFORE THE**
BOARD OF REGISTERED NURSING
10 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

11 In the Matter of the Accusation Against:

Case No. 2009-73

12 **LISA ANN JONES**

13 Rt. 1 Box 305-A
14 Purcell, OK 73080

ACCUSATION

15 Registered Nurse License No. 609593

16 Respondent.

17 Complainant alleges:

18 **PARTIES**

19 1. Ruth Ann Terry, M.P.H., R.N. ("Complainant") brings this Accusation
20 solely in her official capacity as the Executive Officer of the Board of Registered Nursing,
21 Department of Consumer Affairs.

22 2. On or about November 21, 2002, the Board of Registered Nursing
23 ("Board") issued Registered Nurse License Number 609593 to Lisa Ann Jones ("Respondent").
24 The license expired on March 31, 2004, and has not been renewed.

25 **JURISDICTION**

26 3. Section 2750 of the Business and Professions Code ("Code") provides:

27 "Every certificate holder or licensee, including licensees
28 holding temporary licenses, or licensees holding licenses placed
in an inactive status, may be disciplined as provided in this

1 article [Article 3 of the Nursing Practice Act (Bus. & Prof.
2 Code, § 2700 et seq.)]. As used in this article, 'license'
3 includes certificate, registration, or any other authorization to
4 engage in practice regulated by this chapter. The proceedings
5 under this article shall be conducted in accordance with Chapter 5
6 (commencing with Section 11500) of Part 1 of Division 3 of
7 Title 2 of the Government Code [the Administrative Procedure
8 Act], and the board shall have all the powers granted therein."

9
10
11 4. Code section 2764 provides:

12 "The lapsing or suspension of a license by operation of
13 law or by order or decision of the board or a court of law, or the
14 voluntary surrender of a license by a licentiate shall not deprive
15 the board of jurisdiction to proceed with any investigation of or
16 action or disciplinary proceeding against such license, or to
17 render a decision suspending or revoking such license."

18 STATUTORY PROVISIONS

19 5. Code section 2761, subdivision (a)(4), provides:

20 "The board may take disciplinary action against a certified
21 or licensed nurse or deny an application for a certificate or license
22 for any of the following:

23 (a) Unprofessional conduct, which includes, but is not
24 limited to, the following:

25

26 (4) Denial of licensure, revocation, suspension, restriction,
27 or any other disciplinary action against a health care professional
28 license or certificate by another state or territory of the United
States, by any other government agency, or by another California
health care professional licensing board. A certified copy of the
decision or judgment shall be conclusive evidence of that action."

1 6. Code section 125.3 provides that the Board may request the
2 administrative law judge to direct a licentiate found to have committed a violation or
3 violations of the licensing act to pay a sum not to exceed the reasonable costs of the
4 investigation and enforcement of the case.

5 FIRST CAUSE FOR DISCIPLINE

6 (Out-of-State Denial of Licensure)

7 7. Respondent's license is subject to disciplinary action under Code section
8 2761, subdivision (a)(4), in that on March 24, 2004, the Arizona State Board of Nursing (Arizona

1 Board) denied Respondent's application by endorsement for licensure as a professional nurse.

2 The Arizona Board denied Respondent's application based on Order of Denial No. 0311023

3 (Order) issued in a case entitled *In the Matter of the Application for License By: Lisa Ann Jones*

4 *to Practice Professional Nursing in the State of Arizona*. In the Order, the Arizona Board denied

5 the application based on the following findings of fact:

6 a. On or about February 18, 2000, the District Attorney of Cleveland
7 County, Oklahoma, filed a Felony Information, #CF-2000-196, in the District Court of Cleveland
8 County, Oklahoma, charging Applicant with Conspiracy to Commit a Felony, Grand Larceny By
9 Fraud (over \$500), Forgery, Second Degree, and Uttering a Forged Instrument.

10 b. On or about December 10, 1998, at Joseph Harp Correctional
11 Center in Cleveland County, Oklahoma, Applicant conspired with three other individuals to
12 commit Larceny By Fraud by forging an inmate's name to a trust account disbursement form
13 generating a Department of Corrections voucher/draft allowing for electronic transfer of inmate's
14 funds of \$15,500 into Applicant's personal bank account.

15 c. On or about May 15, 2003, Applicant pled Nolo Contendre in the
16 District Court for Cleveland County, Oklahoma, Case #CF-00-196, to Uttering a Forged
17 Instrument, Second Degree Forgery, Obtaining Money By False Pretence (over \$500) and
18 Conspiracy to Commit a Felony, all felonies.

19 d. On or about May 15, 2003, the Court accepted Applicant's plea of
20 Nolo Contendre and found that Applicant "is guilty of the crime charged." The judge deferred
21 the case and placed Applicant on five years probation without rendering a final judgment and set
22 a future court date of May 15, 2008.

23 e. On or about September 24, 2003, the Oklahoma State Board of
24 Nursing issued a Consent Agreement to Applicant for a Severe Reprimand and completion of a
25 Legal/Ethical Program.

26 f. On or about November 14, 2003, Applicant submitted a
27 Professional Nursing Application with the Board and checked "NO" to question #2: "Have you
28 ever been convicted, entered a plea of guilty, nolo contender or no contest, or have you ever been

1 sentenced, served time in jail or prison, or had prosecution or sentence deferred in any felony or
2 undesignated offense.”

3 g. In its Order the Arizona Board concluded that based on the
4 findings of fact, it had cause to deny the application for licensure of Lisa Ann Jones pursuant to
5 A.R.S. section 32-1663(A), as defined in A.R.S. section 32-1601(16)(a), (b), (d), (f), (h), and (j)
6 and A.A.C. R4-19-403 (15), (25). (Exhibit A).

7 **SECOND CAUSE FOR DISCIPLINE**

8 (Out-of-State Discipline)

9 8. Respondent’s license is subject to disciplinary action under Code
10 section 2761(a)(4) on the basis of following disciplinary actions.

11 a. On or about June 8, 2004, the Eligibility and Disciplinary
12 Committee of the Board of Nurse Examiners of the State of Texas (Texas Board), revoked
13 Respondent’s professional nursing license based on the fact that on or about September 24, 2003,
14 Respondent’s license to practice professional nursing in the State of Oklahoma was issued a
15 severe Reprimand by the Oklahoma Board of Nursing. (Exhibit B).

16 b. On or about October 12, 2005, the Commonwealth of
17 Massachusetts Board of Registration in Nursing revoked Respondent’s registered nurse for a
18 minimum of three (3) years based on the disciplinary actions taken by Oklahoma and Texas
19 Boards. (Exhibit C).

20 **THIRD CAUSE FOR DISCIPLINE**

21 (Out-of-State Discipline)

22 9. Respondent’s license is subject to disciplinary action under Code section
23 2761, subdivision (a)(4), in that on or about July 23, 2008, the Oklahoma Board of Nursing
24 (Oklahoma Board) disciplined Respondent’s registered nursing license in a Stipulation,
25 Settlement and Order (Stipulation). The disciplinary order was based on the following joint
26 stipulations between the Oklahoma Board and Respondent.

27 a. On or about March 27, 2008, Respondent submitted to the
28 Oklahoma Board of Nursing an Application for Reinstatement or Return to Active Status of

1 License. Respondent falsified the application by answering "No" to Question 5 "Have you ever
2 had disciplinary action taken against your nursing license, recognition, or certificate; any health-
3 related license, recognition, or certificate; or any application for a nursing or health-related
4 license, recognition, or certificate in any state, territory or country, not previously reported in
5 writing to this Board?" (Exhibit D)

6 b. Respondent had disciplinary action taken against her nursing
7 license in Arizona on March 24, 2004, in Texas on June 8, 2004, and in Massachusetts on
8 October 22, 2005.

9 **PRAYER**

10 **WHEREFORE**, Complainant requests that a hearing be held on the matters
11 herein alleged, and that following the hearing the Board issue a decision:

- 12 1. Revoking or suspending Registered Nurse License Number 609593, issued
13 to Lisa Ann Jones;
- 14 2. Ordering Lisa Ann Jones to pay the reasonable costs incurred by the Board
15 in the investigation and enforcement of this case pursuant to Code section 125.3; and
- 16 3. Taking such other and further action as deemed necessary and proper.

17
18 **DATED:** 9/23/08


19
20
21 
22 RUTH ANN TERRY, M.P.H., R.N.
23 Executive Officer
24 Board of Registered Nursing
25 Department of Consumer Affairs
26 State of California
27 Complainant
28

EXHIBIT A

BEFORE THE ARIZONA STATE BOARD OF NURSING

IN THAT MATTER OF APPLICATION)
FOR LICENSE BY:)
LISA ANN JONES)
TO PRACTICE PROFESSIONAL)
NURSING IN THE STATE OF ARIZONA)
_____)

**ORDER OF DENIAL
NO.
0311023**

On March 24, 2004, the Arizona State Board of Nursing ("Board") considered the application for licensure of Lisa Ann Jones ("Applicant").

FINDINGS OF FACT

1. On or about November 14, 2003, Applicant submitted a Professional Nursing Application by Endorsement with the Board.
2. On or about February 18, 2000, the District Attorney of Cleveland County Oklahoma filed a Felony Information, #CF-2000-196, in the District Court of Cleveland County, Oklahoma, charging Applicant with; Conspiracy to Commit a Felony, Grand Larceny By Fraud (over \$500.00), Forgery, Second Degree, and Uttering a Forged Instrument.
3. On or about December 10, 1998, at Joseph Harp Correctional Center in Cleveland County, Oklahoma, Applicant conspired with three other individuals to commit Larceny By Fraud by forging an inmate's name to a trust account disbursement form generating a Department of Corrections voucher/draft allowing for the electronic transfer of the inmate's funds of \$15,500.00 into Applicant's personal bank account.
4. On or about May 15, 2003, Applicant pled Nolo Contendere in the District Court for Cleveland County, Oklahoma, case #CF-00-196, to Uttering a Forged Instrument,

Second Degree Forgery, Obtaining Money By False Pretence (over \$500.00) and Conspiracy To Commit A Felony, all felonies.

5. On or about May 15, 2003, the Court accepted Applicant's plea of Nolo Contendre and found that the Applicant "is guilty of the crime charged." The judge deferred the case and placed Applicant on 5 years probation without rendering a final judgment and set a future court date of May 15, 2008.

6. On or about September 24, 2003, the Oklahoma State Board of Nursing issued a Consent Agreement to Applicant for a Severe Reprimand and completion of a Legal/Ethical Program.

7. On or about November 14, 2003, Applicant submitted an Professional Nursing Application with the Board and checked "NO" to question #2; "Have you ever been convicted, entered a plea of guilty, nolo contender or no contest, or have you ever been sentenced, served time in jail or prison, or had prosecution or sentence deferred in any felony or undesignated offense."

CONCLUSIONS OF LAW

1. In light of the above Findings of Fact, the Board has cause to deny the application for licensure of Lisa Ann Jones pursuant to A.R.S. § 32-1663(A), as defined in A.R.S. § 32-1601(16)(a), (b), (d), (f), (h), and (j) and A.A.C. R4-19-403 (15), (25).

ORDER

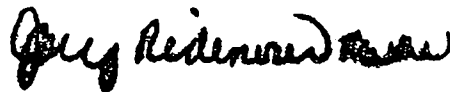
NOW THEREFORE, IT IS ORDERED that the application of Lisa Ann Jones for a license to practice as a professional nurse in the State of Arizona is denied.

PURSUANT TO A.R.S. § 41-1092.03, any person aggrieved by this Order may apply to the Board, in writing, within thirty days of receipt and request a public hearing with respect to this Order. If you request a public hearing with respect to this order, you also have the right to request an informal settlement conference by filing a written request with the Board, pursuant to A.R.S. § 41-1092.06, no later than 20 days before the scheduled hearing. The conference will be held within 15 days after receipt of your request. Please note that you waive any right to object to the participation of the Board's representative in the final administrative decision of the matter if it is not settled at the conference. For answers to questions regarding the appeals process, contact Susan Barber, at (602) 331-8111, Ext. 126.

DATED this 24th day of March, 2004.

ARIZONA STATE BOARD OF NURSING

SEAL



Joey Ridenour, R.N., M.N.
Executive Director

JR/JB:db

COPY mailed this 25th day of March, 2004 First Class Mail and by Certified Mail No. 7001 1940 0003 4507 5569 to:

LISA JONES
1526 CARL STOKES ROAD
PURCELL, OK 73080

By: Debra Blake

EXHIBIT B

IN THE MATTER OF	§	BEFORE THE ELIGIBILITY
PERMANENT CERTIFICATE	§	AND DISCIPLINARY
NUMBER 567970	§	COMMITTEE OF THE BOARD
ISSUED TO	§	OF NURSE EXAMINERS OF THE
LISA ANN JONES	§	STATE OF TEXAS

ORDER OF THE BOARD

TO: Lisa Ann Jones
1420 Carl Stokes Road
Purcell, OK 73080

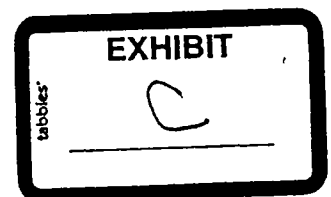
During open meeting held in Austin, Texas, on June 8, 2004, the Eligibility and Disciplinary Committee (hereinafter "Committee") heard the above-styled case. This case was heard, and based on the failure of the Respondent to file a written response to the Formal Charges as required by 22 TEX. ADMIN. CODE, §213.16.

The Committee of the Board of Nurse Examiners finds that notice of the facts or conduct alleged to warrant disciplinary action has been provided to Respondent in accordance with Texas Government Code, §2001.054 (c) and Respondent has been given an opportunity to show compliance with all the requirements of the Nursing Practice Act, chapter 301 of Texas Occupations Code, for retention of Respondent's license to practice professional nursing in the State of Texas.

The Committee finds that the Formal Charges were properly initiated and filed in accordance with section 301.458, Texas Occupations Code.

The Committee finds that after proper and timely notice of the violations alleged in the Formal Charges were given to Respondent in this matter, Respondent has failed to file an answer in accordance with 22 TEX. ADMIN. CODE, §213.16.

The Committee finds that the Board is authorized to enter a default order pursuant to Texas Government Code, §2001.056 and 22 Texas Administrative Code, §213.16.



The Eligibility and Disciplinary Committee, after review and due consideration, adopts the proposed findings of fact and conclusions of law as stated in the Formal Charges which are attached hereto and incorporated by reference for all purposes and the Staff's recommended sanction of revocation by default. This Order will be properly served on all parties and all parties will be given an opportunity to file a motion to set aside the default order (22 TEX. ADMIN. CODE § 213.16(j)). All parties have a right to judicial review of this Order.


All proposed findings of fact and conclusions of law filed by any party not specifically adopted herein are hereby denied.

NOW, THEREFORE, IT IS ORDERED that Permanent Certificate Number 567970, previously issued to LISA ANN JONES, to practice professional nursing in the State of Texas be, and the same is hereby, REVOKED.

IT IS FURTHER ORDERED that this Order SHALL be applicable to Respondent's multi-state privilege, if any, to practice professional nursing in the State of Texas.

Entered this 8th day of June, 2004.

BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

BY: 
KATHERINE A. THOMAS, MN, RN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

In the Matter of Permanent License	§	BEFORE THE BOARD
Number 567970, Issued to	§	OF NURSE EXAMINERS
LISA ANN JONES, Respondent	§	FOR THE STATE OF TEXAS

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, LISA ANN JONES, is a Registered Nurse holding license number 567970, which is in delinquent status at the time of this pleading.

Written notice of the facts and conduct alleged to warrant adverse licensure action was sent to Respondent at Respondent's address of record and Respondent was given opportunity to show compliance with all requirements of the law for retention of the license prior to commencement of this proceeding.

CHARGE I.

On or about September 24, 2003, Respondent's license to practice professional nursing in the State of Oklahoma was issued a Reprimand/Censure by the Oklahoma Board of Nursing, Oklahoma City, Oklahoma. A copy of the Complaint and Oklahoma Consent Order are attached and incorporated, by reference, as part of this pleading.

The above action constitutes a violation of Section 301.452(b)(8), Texas Occupations Code.

BALANCE OF PAGE INTENTIONALLY LEFT BLANK

CONTINUED ON NEXT PAGE

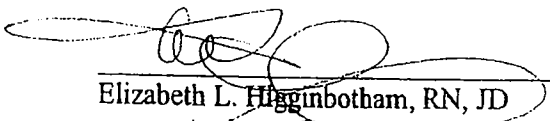
NOTICE IS GIVEN that staff will present evidence in support of any recommended disposition of this matter pursuant to the factors stated in the Board's rule regarding penalty/sanction factors, 22 TEX. ADMIN. CODE, Section 213.33.

NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, www.bne.state.tx.us.

Filed this 24th day of March, 20 04.

BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

James W. Johnston, General Counsel
Board Certified - Administrative Law
Texas Board of Legal Specialization
State Bar No. 10838300
BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS
333 Guadalupe, Tower III, Suite 460
Austin, Texas 78701
P: (512) 305-6824
F: (512) 305-7401 or (512) 305-6870



Elizabeth L. Higginbotham, RN, JD
Assistant General Counsel
State Bar No. 00787694

E. Joy Sparks
Assistant General Counsel
State Bar No. 18874600
BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS
333 Guadalupe, Tower III, Suite 460
Austin, Texas 78701
P: (512) 305-6824
F: (512) 305-7401 or (512) 305-6870

Attachments: Complaint and Oklahoma Consent Order dated September 25, 2003.

EXHIBIT C

RECEIVED

MAY 15 2008

OBN

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK COUNTY

BOARD OF REGISTRATION
IN NURSING

IN THE MATTER OF
LISA ANN JONES
RN LICENSE NO. 244269
(License Expired 2/1/02)

DOCKET NO. RN-04-116

FINAL DECISION AND ORDER BY DEFAULT

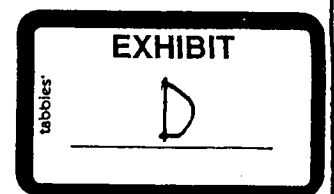
Pursuant to Massachusetts General Laws ("G.L.") Chapter 30A, § 10(2), 801 CMR 1.01 (6) (d) (2) and (7) (a) (1), the failure of Lisa Ann Jones ("Respondent"), after due notice, to appear and defend in this matter, and Prosecuting Counsel's Amended Motion for Entry of Final Default Judgment and for Final Decision and Order by Default ("Amended Motion"), the Board of Registration in Nursing ("Board") grants Prosecuting Counsel's Amended Motion and issues this Final Decision and Order by Default.

PROCEDURAL BACKGROUND

On July 26, 2005, the Board issued an Order to Show Cause ("Show Cause Order") ordering Respondent to show cause why the Board should not suspend, revoke, or otherwise take action against her license to practice as a Registered Nurse ("RN") in the Commonwealth of Massachusetts, License No. 244269, based on the allegations in the Show Cause Order. (A copy of the Show Cause Order is attached hereto as Exhibit 1 to the Affidavit of Prosecuting Counsel.) Respondent did not file an Answer to the Show Cause Order or otherwise respond at any time during these proceedings.

On September 9, 2005, Prosecuting Counsel filed an Amended Motion for Default Judgment and for Final Decision and Order by Default by filing and serving the Motion, a Memorandum of Law, and an Affidavit of Prosecuting Counsel¹ with Exhibits 1 through 3. In particular, Respondent was notified of her right to a hearing, waiver of this right if she did not timely remove the default, and that failure to remove the default within seven (7) days would cause the Board to (a) enter a Final Decision and Order which assumes the truth of the allegations in the Order to Show Cause; and (b) revoke, suspend, or take other disciplinary

¹ On September 19, 2005, Prosecuting Counsel filed and served on Respondent a corrected Affidavit, which amended Prosecuting Counsel's original Affidavit by including the date of signature.



action against her license to practice as an RN in the Commonwealth, including any right to renew. It is now clearly beyond the time allowed for a response to be filed under the Standard Adjudicatory Rules of Practice and Procedure §01 CMR 1.00 et seq. At no time has Respondent appeared or defended.

EXHIBITS

The Board takes administrative notice of the following exhibits that are a part of the administrative record. The Show Cause Order is incorporated herein by reference and attached hereto:

- Exhibit A: Motion, Memorandum of Law, Affidavit and corrected Affidavit of Prosecuting Counsel in Support of Motion for Entry of Default, with certificate of service and exhibits attached thereto:
1. July 26, 2005, Cover Letter, Certified Mail Receipt, and Show Cause Order served via first class and certified mail (No. 7005 1160 0001 3500 5378) to the Respondent at 1526 Carl Stokes Road, Purcell, OK 73080 ("Purcell Address").
 2. A Licensee Information Printout from the Board dated August 24, 2005, reflecting the Respondent's address as Rt 1, Box 305-A, Purcell, OK, 73080 (Address of Record).
 3. United States Postal Service Certified Mail Return Receipt (No. 7005 1160 0001 3500 5378) with the Respondent's name and Purcell Address signed by James Jones on July 30, 2005.

DISCUSSION

By reason of Respondent's default, and upon consideration of Prosecuting Counsel's Amended Motion, Memorandum of Law, and Affidavits of Prosecuting Counsel filed in support therein, the Board **GRANTS** Prosecuting Counsel's Amended Motion. Productora e Importadora de Papel S. A. de C.V. v. Fleming, 376 Mass. 826, 833-835 (1978); University Hospital v. MCAD, 396 Mass. 533, 539 (1986); Wang v. Board of Registration in Medicine, 405 Mass. 15, 19-20 (1989) (where professional lacked current license to practice in the Commonwealth, board had jurisdiction based on professional's inchoate right to renew license). The Board finds that the allegations in the Show Cause Order and the violations of statutes and regulations stated therein are deemed admitted and established. Respondent was afforded an opportunity for a full and fair hearing as required by G.L. c. 30A, §§ 10 and 11 (1), G.L. c. 112, § 62 and 801

CMR 1.01 (4) (c). Wherefore, in accordance with the Board's authority and statutory mandate, the Board orders as follows:²

ORDER

Based on its Final Decision by Default, the Board REVOKES for a MINIMUM OF THREE (3) YEARS Respondent's RIGHT TO RENEW her LICENSE to engage in the practice of nursing as a REGISTERED NURSE in Massachusetts, RN License No. 244269.

If Respondent renews her RN license before the Effective Date of this Final Decision and Order by Default, the Board REVOKES said LICENSE for a MINIMUM of THREE (3) YEARS, RN License No. 244269.

Respondent is hereby ordered to return any nursing license issued to her by the Board, whether current or expired, to the Board's office at 239 Causeway Street, Boston, Massachusetts 02114, by hand or by certified mail, within five (5) days of the Effective Date set forth below.

Respondent shall not practice as a Registered Nurse in Massachusetts on or after the Effective Date of this Order. "Practice as a Registered Nurse" includes, but is not limited to, seeking and accepting a paid or voluntary position as a Registered Nurse or in any way representing herself as a Registered Nurse in Massachusetts. The Board shall refer any evidence of unlicensed practice to appropriate law enforcement authorities for prosecution as provided by G.L. c. 112, §§ 65 and 80.

Respondent may petition the Board in writing for relicensure after a minimum of three years from the Effective Date of this Final Decision and Order by Default and when she can provide documentation satisfactory to the Board of her ability to practice nursing in a safe and competent manner. Such documentation shall include, but may not be limited to:

- 1) Certified documentation sent from the court directly to the Board verifying that all criminal cases and matters involving Respondent are closed and that she has satisfactorily completed all court-ordered requirements imposed on her in connection with any criminal conviction or matter, including probation. The Board, in its discretion, may decline to consider any petition for relicensure for a minimum of one (1) year after completion of all obligations, including probation, related to any criminal matters in which Respondent has been involved.

² In that the evidence in this default proceeding, consisting of the above referenced exhibits, was before the Board, no tentative decision is required. 801 CMR 1.01 (11).

- 2) Respondent's sworn written statement that there are no pending actions or obligations, criminal or administrative, against her before any court or administrative body in any jurisdiction.
- 3) Respondent shall assist the Board to obtain a Criminal Offender Record Information (CORI) Report of Respondent conducted by the Massachusetts Criminal History Systems Board.
- 4) If employed during the year immediately preceding her request for relicensure, arrange for each of her employers during said year to submit directly to the Board a letter of reference, on the employer's letterhead, which reviews Respondent's attendance, general reliability and specific job performance. If Respondent has not been employed at all during this period, she shall submit an affidavit to the Board attesting to this.
- 5) Certified documentation from the Oklahoma Board of Nursing sent directly to the Board verifying that Respondent has successfully met all requirements imposed by the Oklahoma Board in connection with its discipline of her Oklahoma nursing license and that her Oklahoma nursing license is in good standing or is eligible to be for renewal without restrictions or conditions.
- 6) Certified documentation from the state board of nursing of each jurisdiction in which Respondent has ever been licensed to practice as a nurse, other than Oklahoma, sent directly to the Massachusetts Board identifying that her license is in good standing or is eligible for renewal without restrictions or conditions.

Respondent shall also submit documentation satisfactory to the Board of her successful completion of all continuing education equivalent to the continuing education required by Board regulations for the two (2) license renewal cycles immediately preceding any petition for relicensure.

The Board's approval of Respondent's petition for relicensure may be conditioned upon, and immediately followed by, probation of Respondent's nursing license for a period of time, as well as other restrictions and requirements that the Board may then determine are reasonably necessary in the best interests of the public health, safety, and welfare.

The Board may choose to relicensure Respondent if the Board determines that relicensure is in the best interests of the public at large.

The Board voted to adopt the within Final Decision by Default at its meeting held on October 12, 2005, by the following vote: Present and in favor: Maura Flynn, LPN; Diane Hanley, RN; Laurie Hartigan, LPN; Sheila Kaiser, RN, NA; Donna Lampman, RN; Salvador Porras, Public Member; Paulette Reinjan, RN, NP; Jean Roy, RN; David Seaver, RPh, JD; and Janet Sweeney Ricci, RN,

NP. Opposed: None. Abstained: None. Not present: Ann Montminy, RN and Philip Waithe, RN.

The Board voted to adopt the within Order by Default at its meeting held on October 12, 2005, by the following vote: Present and in favor: Maura Flynn, LPN; Diane Hanley, RN; Laurie Hartigan, LPN; Sheila Kaiser, RN, NA; Donna Lampman, RN; Salvador Porras, Public Member; Paulette Remijan, RN, NP; Jean Roy, RN; David Seaver, RPh, JD; and Janet Sweeney Rico, RN, NP. Opposed: None. Abstained: None. Not present: Ann Montminy, RN and Philip Waithe, RN.

EFFECTIVE DATE OF ORDER

This Final Decision and Order by Default becomes effective upon the tenth (10th) day from the date it is issued (see "Date Issued" below).

RIGHT TO APPEAL

Respondent is hereby notified of her right to appeal this Final Decision and Order by Default within thirty (30) days of receipt of notice of this Final Decision by Default pursuant to G.L. c. 112, § 64 and G.L. c. 30A, §§ 14 and 15.

Board of Registration in Nursing

Date Issued: 10/12/05

Rula Harb
Rula Harb, MSN, RN
Executive Director

Notified:

BY FIRST CLASS AND CERTIFIED MAIL RETURN
RECEIPT REQUESTED NO. 7005 1160 0001 3500 6689

Lisa A. Jones
Rte. 1
P.O. Box 305-A
Purcell, OK 73080

BY FIRST CLASS AND CERTIFIED MAIL RETURN
RECEIPT REQUESTED NO. 7005 1160 0001 3500 6696

Lisa A. Jones
1528 Carl Stokes Road
Purcell, OK 73080

BY HAND DELIVERY

Anne McLaughlin, Prosecuting Counsel
Office of Prosecutions
Division of Health Professions Licensure
239 Causeway Street, 4th Floor
Boston, MA 02114

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK COUNTY

BOARD OF REGISTRATION
IN NURSING

In the Matter of:
LISA ANN JONES
RN License No. 244269
License Expires 2/1/02

Docket No. RN-04-116

ORDER TO SHOW CAUSE

Lisa A. Jones (You" or "Respondent"), you are hereby ordered to appear and show cause why the Massachusetts Board of Registration in Nursing ("Board") should not suspend, revoke or otherwise take action against your license to practice nursing as a Registered Nurse ("RN") in the Commonwealth of Massachusetts, License No. 244269, or your right to renew such license, pursuant to Massachusetts General Laws (G. L.) Chapter 112, section 61 and Board regulation 244 CMR 9.03, Standards of Conduct for Nurses, based upon the following facts and allegations:

1. On or about September 28, 2001, the Board issued to you a license to engage in the practice of nursing as a Registered Nurse, License No. 244269. Your license expired on February 1, 2002, and has not been renewed to date.
2. On or about September 25, 2003, while holding a right to renew your Massachusetts license to practice as a Registered Nurse, you and the Oklahoma Board of Nursing (Oklahoma Board) entered into a Consent Order by which your Oklahoma Registered Nurse license was reprimanded. The Consent Order required you to complete specified conditions based on your plea of *nolo contendere* on May 15, 2003, to charges of Conspiracy to Commit a Felony, Obtaining Money by False Pretense, Second Degree Forgery and Uttering a Forged Instrument in the District Court of Cleveland County, State of Oklahoma.
3. A final judgment and sentence on these criminal charges was deferred by the Court, and you were ordered to serve supervised probation for five (5) years until at least May 15, 2008, and pay costs, fines, fees and assessments.
4. On or about June 8, 2004, the Texas Board of Nursing, in Case No. 320007 revoked your Texas Nursing License, License No. 567970, indefinitely. The discipline was based on the action taken against your license by the Oklahoma Board of Nursing.

5. On or about May 26, 2004, you applied for a professional nursing license by endorsement in Arizona. The Arizona Board of Nursing denied your application based on your failure to disclose a felony conviction in 2003 in Oklahoma for Conspiracy to Commit a Felony, Obtaining Money by False Pretense, and Forgery.
6. Your conduct as alleged warrants disciplinary action by the Board against your license to practice as a Registered Nurse pursuant to G.L. c. 112, § 61 for deceit, malpractice, and gross misconduct in the practice of the profession, and for committing any offense against the laws of the Commonwealth related thereto.
7. Your conduct as alleged warrants disciplinary action by the Board against your license to practice as a Registered Nurse pursuant to G.L. c. 112, § 74 for lack of the good moral character required for initial licensure and license renewal.
8. Your conduct as alleged warrants disciplinary action by the Board against your license to practice as a Registered Nurse pursuant to Board regulation 244 CMR 9.03 for violation of accepted standards of conduct for nurses, namely:
 - a) 244 CMR 9.03(47), Other Prohibited Conduct. A nurse licensed by the Board shall not engage in any other conduct that fails to conform to accepted standards of nursing practice or in any behavior that is likely to have an adverse effect upon the health, safety, or welfare of the public.
9. Your conduct as alleged constitutes unprofessional conduct and conduct which undermines public confidence in the integrity of the profession. *Sugarman v. Board of Registration in Medicine*, 422 Mass. 338, 342 (1996); see also *Kvitka v. Board of Registration in Medicine*, 407 Mass. 140, cert. denied, 498 U.S. 821 (1990); *Raymond v. Board of Registration in Medicine*, 387 Mass. 708, 713 (1982).

You have a right to an adjudicatory hearing ("hearing") on the allegations contained in the Order to Show Cause before the Board acts to suspend, revoke, or impose other discipline against your license. G.L. c. 112, § 61. Your right to a hearing may be claimed by submitting a written request for a hearing *within twenty-one (21) days of receipt of this Order to Show Cause*. You must also submit an Answer to this Order to Show Cause in accordance with 801 CMR 1.01(6)(d) *within twenty-one (21) days of receipt of this Order to Show Cause*. The Board will give you prior written notice of the time and place of the hearing following receipt of a written request for a hearing.

Hearings shall be conducted in accordance with the State Administrative Procedure Act, (G.L. c. 30A, §§ 10 and 11, and the Standard Adjudicatory Rules of Practice and Procedure, 801 CMR 1.01 and 1.03, under which you are granted certain rights including, but not limited to, the rights: to a hearing, to secure legal counsel or another representative to represent your interests, to call and examine witnesses, to cross-

examine witnesses who testify against you, to testify on your own behalf, to introduce evidence, and to make arguments in support of your position.

The Board will make an audio recording of any hearing conducted in the captioned matter. In the event that you wish to appeal a final decision of the Board, it is incumbent on you to supply a reviewing court with a "proper record" of the proceeding, which may include a written transcript. *New Bedford Gas and Light Co. v. Board of Assessors of Dartmouth*, 368 Mass. 745, 749-750 (1975). If you wish to provide for a written transcript, you must arrange for, and bear the cost of, a stenographer's presence at any hearing; and if a written transcript is prepared at your request, then said transcript shall also be provided to the Board, at your expense, for inclusion in the record. C.L. c. 30A, § 11(6), 801 CMR 1.01 10(k); 801 CMR 1.01 10(i).

Your failure to submit a written request for a hearing within 21 days of receipt of this Order to Show Cause *shall constitute a waiver of the right to a hearing* on the allegations herein and on any Board disciplinary action. Your failure to submit an Answer to the Order to Show Cause within 21 days of receipt of the Order to Show Cause *shall result in the entry of default* in the captioned matter. Notwithstanding the earlier filing of an Answer and/or request for a hearing, your failure to appear for any scheduled status conference, pre-hearing conference or hearing dates, or failure to otherwise defend this action shall result in the entry of default.

If you are defaulted, the Board may enter a Final Decision and Order that assumes the truth of the allegations in this Order to Show Cause, and may revoke, suspend, or take other disciplinary action against your license to practice as a Registered Nurse in the Commonwealth of Massachusetts, including any right to renew your license.

Any written request for a hearing and your Answer to the Order to Show Cause, as well as all future pleadings related to the captioned matter, shall be submitted for filing to:

Vivian Bendix, Esq.
Administrative Hearings Counsel
Department of Public Health
Division of Health Professions Licensure
239 Causeway Street, 2nd floor
Boston, Massachusetts 02114

A copy of any written request for a hearing and a copy of your Answer, as well as copies of all future pleadings related to the captioned matter, shall be provided to Prosecuting Counsel. Prosecuting Counsel for this matter is:

Anne McLaughlin, Esq.
Department of Public Health
Office of the General Counsel
239 Causeway Street, 2nd Floor
Boston, Massachusetts 02114

You or your representative may examine Board records relative to this case prior to the date of the hearing during regular business hours at the office of the Prosecuting Counsel. If you elect to undertake such an examination, then please contact the Prosecuting Counsel in advance at (617) 973-0840 to schedule a time that is mutually convenient.

BOARD OF REGISTRATION
IN NURSING,

Rula Harb / (JTB)
Rula Harb, RN, MSN
Executive Director

Dated: July 26, 2005

BOARD OF REGISTERED NURSING
AUG 17 2008

RECEIVED
ATTORNEY GENERAL
2008 SEP -2 AM 11:59
DEPARTMENT OF JUSTICE
SACRAMENTO OFFICE

Date 8-4-08

I certify this to be a true copy of the
records on file with the Oklahoma Board of
Nursing

Signed Deena Jackson

EXHIBIT D

BEFORE THE OKLAHOMA BOARD OF NURSING

IN THE MATTER OF LISA ANN JONES, R.N.
LICENSE NO. R0060753 (LAPSED)

STIPULATION, SETTLEMENT AND ORDER

This matter comes on before the Informal Disposition Panel ("Panel") of the Oklahoma Board of Nursing ("Board") on the 8th day of July, 2008, in the Conference Room of the Board Office, 2915 North Classen Boulevard, Suite 524, Oklahoma City, Oklahoma.

Lisa Griffiths, R.N., a Nurse Investigator with the Board, appears in person, and Lisa Ann Jones, R.N., (hereinafter, "Respondent") appears neither in person nor by counsel before the Panel on this date. Respondent and the Nurse Investigator participated in a telephonic conference on June 12, 2008, and both subsequently consented to this Order.

STIPULATION

Respondent and the Panel hereby stipulate and agree to the following joint stipulation and proposed Order of the Board incorporating this stipulation and agreement in the above-styled matter.

1. Respondent's license to practice registered nursing in the State of Oklahoma, being License No. R0060753, lapsed on the 1st day of March, 2008.
2. On or about March 27, 2008, Respondent submitted to the Oklahoma Board of Nursing an Application for Reinstatement or Return to Active Status of License. Respondent falsified the application by answering "No" to Question 5 "Have you ever had disciplinary action taken against your nursing license, recognition, or certificate; any health-related license, recognition, or certificate; or any application for a nursing or health-related license, recognition, or certificate in

Order incorporating same will in no way preclude additional proceedings by the Board against Respondent for acts or omissions not specifically made a part of this stipulation.

7. Respondent expressly waives all further procedural steps, and expressly waives all rights to seek judicial review of or to otherwise challenge or contest the validity of this joint stipulation of facts, conclusions of law and imposition of discipline, and the Final Order of the Board incorporating said stipulation.

8. It is expressly understood that this stipulation is subject to approval of the Board and has no force and effect until approved and Ordered by the Board.

9. This Stipulation, Settlement, and Order does constitute formal disciplinary action.

STIPULATED DISPOSITION AND ORDER

IT IS THEREFORE ORDERED by the Oklahoma Board of Nursing that the Application for Reinstatement of License to practice registered nursing filed herein by Respondent is hereby granted, but that Respondent is disciplined as follows:

1. Respondent shall, within ninety (90) days from the receipt of this Order, successfully complete a course on **Nursing Jurisprudence**. Respondent shall obtain Board approval of the course prior to enrollment. Home study courses, Internet and video programs will not be approved. In order for the course to be approved, the target audience must include licensed nurses. It must be a minimum of four (4) contact hours in length. The course must include an examination of the scope of nursing practice from the Oklahoma Nursing Practice Act and Rules of the Board, other laws, policies, and accreditation guidelines that govern the practice of nursing, the role of delegation and supervision, and an exploration of the ethical basis of nursing practice. Courses focusing on

malpractice issues will not be accepted. The course description must indicate goals and objectives for the course, resources to be utilized, and the methods to be used to determine successful completion of the course. Respondent shall cause the sponsoring institution to submit verification of Respondent's successful completion of the course to the Board office.

2. Within thirty (30) days from receipt of this Order, Respondent shall pay an administrative penalty to the Oklahoma Board of Nursing in the amount of **\$500.00**. The administrative penalty shall be paid only by certified check, money order or cash.

IT IS FURTHER ORDERED that the license to practice registered nursing held by Respondent is hereby **severely reprimanded**.

IT IS FURTHER ORDERED that any failure to comply with submission of the administrative penalty or written documentation by the due date, including but not limited to educational courses, will result in a three (3) month suspension of license. At the completion of the three month suspension, any application for reinstatement may be submitted for processing by Board Staff for approval in accordance to the agency approval process or for referral to the Board. The terms of the previous Order will be extended for three (3) months, as applicable. Administrative penalties for any such failure to comply shall be assessed and paid prior to reinstatement by certified check, money order, or cash pursuant to statute, 59 O.S. §567.8.J.1. and 2, and §485:10-11-2(d) of the Rules promulgated by the Board.

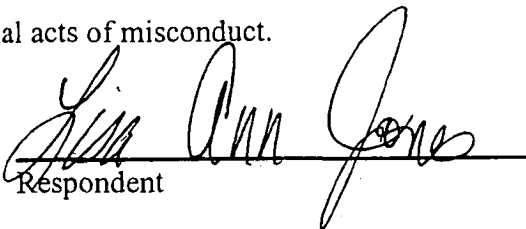
IT IS FURTHER ORDERED that the parties agree that both (all) parties have participated in the drafting of this Stipulation, Settlement and Order and that no presumption or construction against any party as the drafter of this **Stipulation, Settlement and Order**, shall apply or be applied in the event of a claim of ambiguity of the document or a provision thereof.

IT IS FURTHER ORDERED that this stipulation and reinstatement shall not be

effective until the fully executed Order is received in the Board office.

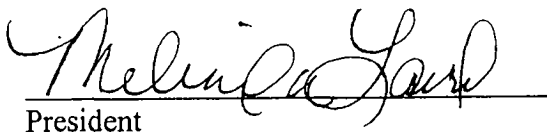
IT IS FURTHER ORDERED that upon successful completion of all of the terms and conditions of this Order, no further Order of the Board shall be deemed necessary.

IT IS FURTHER ORDERED that this Order constitutes disciplinary action by the Board and may be used in any subsequent hearings by the Board. In the event other misconduct is reported to the Board, this Order may be used as evidence against Respondent to establish a pattern of behavior and for the purpose of proving additional acts of misconduct.


Respondent

Approved and ordered this 23rd day of July, 2008.

OKLAHOMA BOARD OF NURSING

By: 
President

LG:tj

Hand Delivered

RECEIVED

MAR 27 2008

OBN

OKLAHOMA BOARD OF NURSING

2915 N. Classen Blvd., Suite 524
Oklahoma City, OK 73106
(405) 962-1800

APPLICATION FOR REINSTATEMENT OR RETURN TO ACTIVE STATUS OF LICENSE

TYPE OR PRINT IN BLACK INK ONLY

I hereby make application to reinstate or return to active status my licensure as a Registered Nurse/Licensed Practical Nurse in accordance with the statutes of the State of Oklahoma (59 O.S. 567.7).

SECTION I: APPLICANT INFORMATION

RN ☒

LPN ☐

OK License Number R 0060753

Social Security # _____

Name as it appears on license: (3 Full Names)

Lisa

Ann

JONES

Mailing Address: 1526 Carl Stokes Rd.

Box number or Street Address

Purcell
City

OK
State

73080
Zip

Telephone Number (405) 527-2902

Email Address lisa@hometownhh.net

Birth Date 02 01 1960
mm dd yyyy

SECTION II: EMPLOYMENT AND CONTINUED QUALIFICATIONS

Are you currently employed in a position requiring an RN/LPN license in Oklahoma?

Yes ☒ No ☐

If yes, list name and address of employer, your position title and the last date you worked in a position requiring a nursing license:

Hometown Home Health

Name of Employer

LARRY Coffman

Name of Supervisor

CEO / Administrator

Position Title

4500 N Lincoln, OKC, OK. 73105

Address

405-706-4988

Supervisor's Telephone Number

2-29-08

Last Date Worked in Position Requiring Nursing License

If no, list name and address of most recent employer:

Name of Employer

Address

Position Title

Last Date of Employment

Have you practiced in a position requiring an RN/LPN license in Oklahoma since your license was not in an active status?

Yes ☐ No ☒

If yes:

Name of Employer

Address

Name of Supervisor

Supervisor's Telephone Number

Position Title

Last Date Worked in Position Requiring Nursing License

If you answered "yes" to either of the above questions, please request that your supervisor submit Verification Form directly to the Board office.

EXHIBIT

A

MAR 27 2008

SECTION III: VERIFICATIONS OF CONTINUING QUALIFICATIONS FOR PRACTICE

OPEN

- ☒ It has been less than two years since my Oklahoma nursing license has not been in active status.
- ☐ It has more than two years since my Oklahoma nursing license has not been in active status. During that time, I verify that I have maintained continued qualifications for practice through completion of one or more of the following (Check all of the following that apply. You must submit the requested documentation in order for your application to be considered):
- ☐ I have completed a refresher course within the last two year with content consistent with Board Policy. (Please request that the institution offering the Oklahoma Board of Nursing approved refresher course submit an official transcript or certificate of completion).
 - ☐ I want to take the National Council Licensure Examination (NCLEX). Please send me a registration form. I understand that my application will not be processed until the examination is successfully passed.
 - ☐ I have completed at least seven (7) academic semester credit hours or 105 contact hours, for LPNs enrolled in practical nursing) of nursing courses within the last two years which include the classroom and clinical instruction. (Please request that the education institution submit an official transcript to the Oklahoma Board of Nursing).
 - ☐ I am licensed in another state and have been employed in that state in a position requiring nursing licensure for a minimum of 520 work hours in the past two years. (Please request that an *Employment Verification Form* to be completed by your employer and submitted directly to the Board office.)